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OFFICIAL

PATENT

Attorney Docket No. SAA-5-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: U.S. Patent Application of:  
Andrew G. SWALES et al.  
Application No. 10/003,123  
Filed: November 26, 2001  
For: MESSAGING APPLICATION LAYER  
OVER ETHERNET TO TRANSPORT  
LAYER (TCP) COMMUNICATIONS  
METHOD AND APPARATUS FOR A  
MODULAR TERMINAL  
INPUT/OUTPUT SYSTEM

) Docket No: SAA-5-2  
) Examiner: LEZAK, Arrienne M  
) Conf No: 6275  
) Art Unit: 2143  
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TERMINAL DISCLAIMER

MAIL STOP FEE AMENDMENT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

I, Richard A. Baker, represent that I am a patent agent of record for this Application. The present owner of the entire interest in this Application is Schneider Automation Inc. (hereinafter referred to as "Disclaimer").

In response to the Office Action Mailed January 31, 2004, Disclaimer hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant Application, which would extend beyond the expiration date of the full statutory term, as defined in 35 U.S.C. § 154 to 156, of U.S. Patent No. 6,321,272 and any patent issuing from U.S. Patent Application 10/140,273. The Disclaimer hereby agrees that any patent so granted on the instant Application shall be enforceable only for and during such period that it and the U.S. Patent No. 6,321,272 and any patent issuing from U.S. Patent Application 10/140,273 are commonly owned.

This agreement runs with any patent granted on the instant Application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the Disclaimant does not disclaim the terminal part of any patent granted on the instant Application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 of U.S. Patent No. 6,321,272 and any patent issuing from U.S. Patent Application 10/140,273, in the event such patent(s) later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

The present Terminal Disclaimer is accompanied by the statutory fee of \$110.00, as set forth in 37 C.F.R. § 1.20(d). The Commissioner is hereby authorized to charge any deficit in fees to Deposit Account No. 19-3875.

Respectfully submitted,

Date: March 29, 2004

By:

  
Richard A. Baker, Jr.  
Reg. No. 48,124

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